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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PRINCE SHOTWELL, No. C 09-1341 TEH (PR)
Petitioner,
v.
BEN CURRY, Warden,
Respondent.

ORDER REQUESTING SUPPLEMENTAL
BRIEFING

16 _____ /
17
18 A recent en banc decision from the Ninth Circuit, Hayward
19 v. Marshall, No. 06-55392, 2010 WL 1664977 (9th Cir. April 22, 2010)
20 (en banc), addressed important issues relating to federal habeas
21 review of BPH decisions denying parole to California state
22 prisoners. As such, the Court will provide each party an
23 opportunity to submit a supplemental brief (not to exceed ten (10)
24 pages in length) explaining his views of how the Hayward en banc
25 decision applies to the facts presented in Petitioner's challenge to
26 BPH's decision denying him parole.

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1 The Court sets the following schedule:

2 1. No later than July 2, 2010, Respondent must file and
3 serve any supplemental brief applying Hayward to the facts presented
4 in Petitioner's case.

5 2. No later than July 30, 2010, Petitioner must file and
6 serve any supplemental brief applying Hayward to the facts presented
7 in his case.

8 IT IS SO ORDERED.

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10 DATED 06/10/10


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THELTON E. HENDERSON
United States District Judge

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